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| To: Commissioner for Patents for<br>Examiner Ramsey Refai<br>Group Art Unit 2154   | Facsimile No.: 703/872-9306  |
| From: Jennifer Pilcher<br>Legal Assistant to Wayne Bailey  | No. of Pages Including Cover Sheet: 19   |
| <b>Message:</b><br><br><b>Transmitted herewith:</b> <ul style="list-style-type: none"><li>• Transmittal Document; and</li><li>• Response to Office Action.</li></ul> |  |
| Re: Application No. 09/838,368<br>Attorney Docket No: AUS920010016US1  |  |
| Date: Friday, June 10, 2005  |  |
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Dutta et al.**Serial No.: **09/838,368**Filed: **April 19, 2001****For: Automatic Backup of Wireless  
Mobile Device Data Onto Gateway  
Server While Device is Idle****35525**PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER§  
§  
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§Group Art Unit: **2154**Examiner: **Refai, Ramsey**Attorney Docket No.: **AUS920010016US1**Certificate of Transmission Under 37 C.F.R. § 1.8(a)I hereby certify this correspondence is being transmitted via  
facsimile to the Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, facsimile number (703) 872-9306  
on June 10, 2005.

By:

*Jennifer Pilcher*  
Jennifer PilcherTRANSMITTAL DOCUMENTCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Response to Office Action.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

*Cathrine K. Kinslow*  
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ATTORNEY FOR APPLICANTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Dutta et al.

Serial No.: 09/838,368

Filed: April 19, 2001

For: Automatic Backup of Wireless  
Mobile Device Data Onto Gateway  
Server While Device is Idle§  
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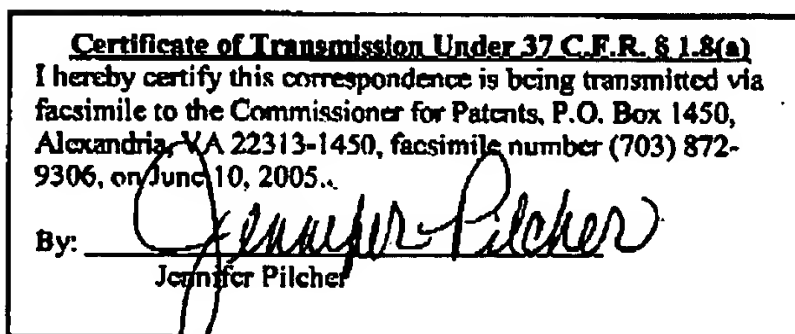
Group Art Unit: 2154

Examiner: Refai, Ramsey

Attorney Docket No.: AUS920010016US1

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JUN 10 2005

**RESPONSE TO OFFICE ACTION**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

In response to the Office Action dated March 10, 2005, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.